

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1683

IN THE MATTER OF:

Served May 6, 1977

EXECUTIVE LIMOUSINE SERVICE, INC. )

Formal Complaint No. 77-2

v. )

VINCENT FERGUSON GIBSON, T/A )  
CONTINENTAL LIMOUSINE )

Docket No. 373

By complaint filed April 27, 1977, Executive Limousine Service, Inc. (Executive), pursuant to Title II, Article XII, Section 13(a) of the Compact, alleges that Vincent Ferguson Gibson trading as Continental Limousine (Continental), is engaged in operations in contravention of the provisions of Title II, Article XII, Section 4(a) of the Compact.

Complainant Executive is a Virginia Corporation and holds Certificate of Public Convenience and Necessity No. 18 authorizing certain contract, special and charter operations. Respondent Continental is a sole proprietorship with its offices at 3123 N. Washington Blvd., Arlington, Virginia. It holds no authority from this Commission.

Specifically, Complainant asserts the following violations of the Compact:

1. Transportation for hire of passengers, by motor vehicle within the Metropolitan District without a certificate of public convenience and necessity issued by this Commission.
2. Transportation for hire of persons between Dulles International Airport, on the one hand, and, on the other, points within the Metropolitan District.
3. Disregard of the Commission's letters directing Continental to terminate immediately any unlawful and unauthorized operations.

Complainant asks that respondent be ordered to cease and desist from the alleged unlawful and unauthorized operations and that, if necessary, the Commission institute appropriate judicial proceedings to enforce its order.

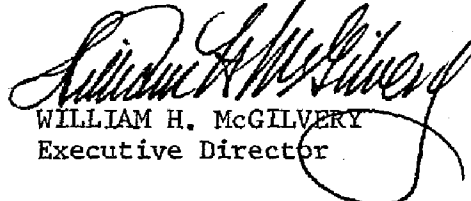
Based on the foregoing, the Commission concludes that there appears to be reasonable grounds for instituting an investigation into the matters complained of.

By motion (letter) dated April 26, 1977, Executive seeks consolidation of its complaint with Continental's Application No. 986, Docket No. 366. Pursuant to Order No. 1677, served April 26, 1977, and incorporated herein by reference, Continental's Application No. 986 is scheduled to be heard commencing at 9:30 a.m., Wednesday, May 25, 1977. After reviewing the issues involved in Application No. 986, Docket No. 366 and the allegations herein, the Commission finds it proper that these proceedings be consolidated for hearing, and that such consolidation would neither unduly broaden the issues involved nor delay the orderly administration of justice for all parties.

THEREFORE, IT IS ORDERED:

1. That an investigation of the matters set forth in the above-referenced complaint be, and it is hereby, instituted.
2. That Executive Limousine Service, Inc., and Vincent Ferguson Gibson trading as Continental Limousine be, and they are, hereby made parties to this proceeding as complainant and respondent respectively.
3. That respondent be, and is hereby, directed to deliver an original and one copy of its answer to the complaint to the offices of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, on or before Monday, May 23, 1977.
4. That respondent be, and is hereby, directed to serve one copy of said answer on counsel for complainant, Maxwell A. Howell, 1511 K Street, N. W., Washington, D. C. 20005, on or before Monday, May, 23, 1977.
5. That complainant's motion to consolidate this proceeding instituted herein for hearing with Application No. 986, Docket No. 366 be, and it is hereby, granted.
6. That expenses of the consolidated hearing attributable to the investigation instituted herein shall abide the event.

BY DIRECTION OF THE COMMISSION:

  
WILLIAM H. MCGILVERY  
Executive Director